

B. COMMUNICATIONS

1. 08-598 Debbie Fitz, Credit Specialist, requesting permission to recycle computer equipment no long operable. **Recommendation: concur and place on file.**
2. 08-599 Linda Sajor, Director MIS, requesting authorization for Chief Executive to enter into agreement with Black Box Networks to Upgrade our current phone system. **Recommendation: concur and place on file.**
3. 08-600 James W. Kephart, requesting permission to close part of Hamilton Street 9/5/08 to conduct a fundraiser for Stevie the shoe shine man. **Recommendation: concur and place on file.**
4. 08-601 Glen Granger, Commissioner District 1, requesting three traffic studies be conducted on the intersections of Tranquility, Meadowlark and Green Lane and Holly Land and Blacktail Lane and Galaxy and Milky Way. **Recommendation: refer to Public Works Committee.**
5. 08-602 Rick Larson, Health Officer, regarding awarding of low quotes for Silver Bow Lead Program for yard remediation activities. **Recommendation: note and place on file.**
6. 08-607 John P. Walsh, Sheriff, requesting authorization for Chief Executive to sign Department Treasury Federal Annual Certification Report. **Recommendation: concur and place on file.**
7. 08-608 John P. Walsh, requesting waiver of sick leave grant requirements and approval to use 160 hours sick leave donation for Peggy Leary. **Recommendation: refer to Personnel Committee.**
8. 08-609 John P. Walsh, Sheriff, requesting to be placed on 9/10/08 agenda for confirmation of Chris Berger as a permanent member of the Butte-Silver Bow Law Enforcement Department. **Recommendation: Hold in Committee of the Whole**
9. 08-610 John P. Walsh, Sheriff, requesting to be place on 9/10/08 agenda for confirmation of Callan Daly as a permanent member of the Butte-Silver Bow Law Enforcement Department. **Recommendation: hold in Committee of the Whole.**

10. 08-611 Dave Fawcett, Chair Technical Review Committee, requesting time on the 9/10/08 agenda to conduct a bid opening for the the Archives Rehabilitation and Vault Addition Project. **Recommendation: schedule bid opening for September 10th and hold in Committee of the Whole.**
11. 08-612 Ellen Crain, Archives Director, requesting authorization for Chief Executive to sign easement for Northwestern Energy. **Recommendation: concur and place on file.**
12. 08-613 Toby Day, MSU Extension Office, requesting approval to recycle obsolete equipment. **Recommendation: concur and place on file.**
13. 08-614 Marty Hovan, Manager Water Treatment Plant, requesting approval to recycle obsolete equipment. **Recommendation: concur and place on file.**
14. 08-615 Bill Melvin, Civic Center Manager, requesting authorization for Chief Executive to sign US Bank Merchant Payment Services Information Checklist. **Recommendation: concur and place on file.**
15. 08-616 Robert M. McCarthy, County Attorney, requesting approval to recycle obsolete or broken equipment. **Recommendation: concur and place on file.**
16. 08-617 Sally Perino, Parking Director, requesting non-renewal of lease of Lots 1 and 2 in Block 52 of the Original Butte Townsite. **Recommendation: noted and placed on file.**
17. 08-618 Frank Cotton, Butte Rescue Mission, requesting waiver of fees to conduct a fundraiser on Harrison Avenue 9/13/08 for the benefit of the Butte Rescue Mission. **Recommendation: receive approval from Department of Transportation and hold in Committee of the Whole.**
18. 08-619 Lee Phillips, Director Public Library, requesting withdrawal of the Johnson Controls Contract for approval. **Recommendation: Concur and place on file.**
19. 08-620 Jeffrey L. Miller, Director of Fire Services, requesting approval to

recycle obsolete equipment. **Recommendation: concur and place on file.**

- 20. 08-621 Dan Fisher, Assessor, requesting approval to recycle obsolete Equipment. **Recommendation: concur and place on file.**
- 21. 08-622 Bruce Evans, Water Treatment Plant, requesting approval to recycle obsolete equipment. **Recommendation: concur and place on file.**

SECTION III COMMUNICATIONS TO BE READ AND ACTED UPON

- 1. 08-603 Paul Babb, Chief Executive, requesting concurrence in the confirmation of Mr. Kelly Lee as a Firefighter with the Butte-Silver Bow Fire Department.
- 2. 08-604 Paul Babb, Chief Executive, requesting concurrence in the confirmation of Mr. Zach Osbourne as a firefighter with the Butte-Silver Bow Fire Department.
- 3. 08-605 Paul Babb, Chief Executive, requesting concurrence in the confirmation of Mr. Kahl Clark as a firefighter with Butte-Silver Bow Fire Department.
- 4. 08-606 Paul Babb, Chief Executive, requesting concurrence in the confirmation off Mr. Kurt Sheehan as a firefighter with the Butte-Silver Bow Fire Department.
- 5. 08-623 Toby Day, County Extension Agent, requesting council take action on request to add a 0.5 FTE to the County Extension Office in the 2009 budget.
- 6. 08-625 Mary M. McMahon, Clerk and Recorder, requesting budgetary amendment request.

SECTION IV ORDINANCES AND RESOLUTIONS – REFERRED TO JUDICIARY

1. COUNCIL RESOLUTION NO. 08-66

A RESOLUTION ADOPTING THE FINAL BUDGET OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA FOR THE FISCAL YEAR 2008 – 2009 AND SETTING LEVIES FOR THE FISCAL YEAR 2008 – 2009 BASED ON THE VALUE OF A MILL OF \$48,416.00 CITY-COUNTY WIDE AND DECLARING THAT ALL PROTESTS AGAINST SAID BUDGET HAVE BEEN HEARD AND DISPOSED OF;

DECLARING THAT SAID BUDGET CONTAINS A CORRECT STATEMENT OF THE AMOUNT TO BE APPROPRIATED FOR EACH OF THE FUNDS OF THE CITY AND COUNTY OF BUTTE-SILVER BOW FOR THE FISCAL YEAR BEGINNING ON THE 1ST DAY OF JULY, 2008 AND ENDING ON THE 30TH DAY OF JUNE, 2009, AS FIXED IN SAID BUDGET PASSED ON THE 17TH DAY OF SEPTEMBER, 2008 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2. COUNCIL RESOLUTION NO. 08-67

A RESOLUTION FIXING THE TAX LEVY OR SERVICE CHARGE FOR THE VARIOUS FUNDS OF THE CITY AND COUNTY OF BUTTE-SILVER BOW AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY OR SERVICE CHARGE FOR EACH FUND FOR FISCAL YEAR 2008 – 2009 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

3. COUNCIL RESOLUTION NO. 08-68

A RESOLUTION FIXING THE MANDATORY TAX LEVIES FOR THE VARIOUS FUNDS OF THE STATE OF MONTANA AT THE RATE WHICH WILL RAISE THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2008-2009 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN BE IT RESOLVED BY THE COUNCIL OF COMMISSIONERS OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA.

4. COUNCIL RESOLUTION NO. 08-69

A RESOLUTION FIXING THE TAX LEVY FOR THE TOWN OF WALKERVILLE, STATE OF MONTANA AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2008 – 2009 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

5. COUNCIL RESOLUTION NO. 08-70

A RESOLUTION ESTIMATING AS NEAR AS POSSIBLE THE COST OF MAINTAINING SPECIAL IMPROVEMENT DISTRICTS NUMBER 401 AND NUMBER 402 FOR THE PURPOSE OF FIRE HYDRANT RENTAL WITHIN THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, FOR THE FISCAL YEAR 2008 – 2009 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

6. COUNCIL RESOLUTION NO. 08-71

A RESOLUTION LEVYING SPECIAL ASSESSMENTS TO PAY THE COSTS OF LIGHTING WITHIN THE SPECIAL IMPROVEMENT DISTRICTS ENUMERATED BY THIS RESOLUTION WITHIN THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

6. COUNCIL RESOLUTION NO. 08-72

A RESOLUTION FIXING AND ESTABLISHING SEWER RATES AND SERVICE CHARGES FOR THE OPERATION AND MAINTENANCE OF THE METRO SEWER SANITARY AND STORM SEWER SYSTEM AND FOR THE OPERATION AND MAINTENANCE OF THE METRO SEWER TREATMENT PLANT BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, MONTANA FOR THE FISCAL YEAR 2008 – 2009; FIXING AND ESTABLISHING AN ADDITIONAL CHARGE FOR A CAPITAL IMPROVEMENT FUND TO DEFRAY THE COST OF ENVIRONMENTALLY MANDATED IMPROVEMENTS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

7. COUNCIL RESOLUTION NO. 08-73

A RESOLUTION LEVYING A SPECIAL ASSESSMENT FOR THE FISCAL YEAR 2008 – 2009 AGAINST THE PROPERTY FROM WHICH SOLID WASTE IS TO BE COLLECTED AND REMOVED FROM EACH INDIVIDUAL DWELLING COLLECTION UNIT FOR THE PURPOSE OF DEFRAYING THE COST AND EXPENSES OF COLLECTING AND REMOVING SAID SOLID WASTE; LEVYING A LANDFILL FACILITY ACCESS FEE FOR THE FISCAL YEAR 2008 – 2009 AGAINST THE PROPERTY FROM WHICH SOLID WASTE IS TO BE DISPOSED OF FOR EACH INDIVIDUAL DISPOSAL UNIT FOR THE PURPOSE OF DEFRAYING THE COST AND EXPENSES OF MAINTAINING AND OPERATING SAID SOLID WASTE DISPOSAL FACILITY AND ESTABLISHING A SCHEDULE OF FEES FOR SUCH ASSESSMENT AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

8. COUNCIL RESOLUTION NO. 08-74

A RESOLUTION FIXING THE RATE OF ASSESSMENT TO FINANCE THE COST OF EACH STREET MAINTENANCE DISTRICT WITHIN THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, FOR THE FISCAL YEAR 2008 – 2009 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

9. COUNCIL RESOLUTION NO. 08-75

THE RATE OF ASSESSMENT TO FINANCE THE COST OF EACH STREET MAINTENANCE DISTRICT WITHIN THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, FOR THE FISCAL YEAR 2008 – 2009.

10. COUNCIL RESOLUTION NO. 08-76

A RESOLUTION FIXING THE TAX LEVY FOR THE VARIOUS FUNDS OF BUTTE (COUNTY) HIGH SCHOOL DISTRICT NO. 1 AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2008 – 2009 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

11. COUNCIL RESOLUTION NO. 08-77

A RESOLUTION FIXING THE TAX LEVY FOR THE VARIOUS FUNDS OF BUTTE ELEMENTARY SCHOOL DISTRICT NO. 1 AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2008 – 2009 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

12. COUNCIL RESOLUTION NO. 08-78

A RESOLUTION FIXING THE TAX LEVY FOR THE VARIOUS FUNDS OF THE JOINT HIGH SCHOOL DISTRICT AND THE JOINT ELEMENTARY DISTRICTS NO. 1 – 4 AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2008 – 2009 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

13. COUNCIL RESOLUTION NO. 08-79

A RESOLUTION FIXING THE TAX LEVY FOR THE VARIOUS FUNDS OF RAMSAY ELEMENTARY SCHOOL DISTRICT NO. 3 AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2008 – 2009 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

14. COUNCIL RESOLUTION NO. 08-80

A RESOLUTION FIXING THE TAX LEVY FOR THE VARIOUS FUNDS OF DIVIDE ELEMENTARY SCHOOL DISTRICT NO. 4 AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2008 – 2009 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

15. COUNCIL RESOLUTION NO. 08-81

A RESOLUTION FIXING THE TAX LEVY FOR THE VARIOUS FUNDS OF MELROSE ELEMENTARY SCHOOL DISTRICT NO. 5 AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2008 – 2009 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

16. COUNCIL RESOLUTION NO. 08-83

A RESOLUTION TO CREATE A CAPITAL PROJECT FUND FOR THE BUTTE-SILVER BOW PUBLIC LIBRARY AND TO AUTHORIZE THE TRANSFER OF FUNDS TO BE DEPOSITED IN THE GENERAL FUND LIBRARY DEPRECIATION AND RESERVE FUND AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

17. COUNCIL RESOLUTION NO.08-84

RESOLUTION RELATION TO \$[_____] WATER SYSTEM REVENUE REFUNDING BONDS, SERIES 2008, AND THE MUNICIPAL WATER SYSTEM; AUTHORIZING THE ISSUANCE OF THE BONDS AND THE EXECUTION AND DELIVERY OF A FIFTH SUPPLEMENTAL INDENTURE OF TRUST AND RELATED DOCUMENTS

**SECTION V ORDINANCES AND RESOLUTIONS –
FINAL READING**

1. COUNCIL RESOLUTION NO. 08-62

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A PARCEL OF REAL PROPERTY DESCRIBED AS TRACT G OF THE SALLE MINOR SUBDIVISION, PLAT NO. 252-A, ALSO KNOWN AS A PORTION OF THE BUFFALO LODGE (AN UNFILED PLAT), MINERAL SURVEY NO.

579 LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 12,
TOWNSHIP 3 NORTH, RANGE 8 WEST, P.M.M.,.

2. COUNCIL RESOLUTION NO. 08-63

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A PARCEL OF REAL PROPERTY DESCRIBED AS ALL OF BUTTE-SILVER BOW'S INTEREST IN TRACT 2, CERTIFICATE OF SURVEY NO. 869-B, ALSO KNOWN AS A PORTION OF CASH ENTRY 1098, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 3 NORTH, RANGE 7 WEST, P.M.M, OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA TO THE ADJOINING OWNER PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

3. COUNCIL RESOLUTION NO. 08-64

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A PARCEL OF REAL PROPERTY DESCRIBED AS THE SOUTH PORTION OF LOTS 5 AND 6 IN BLOCK 11 OF THE HOPE ADDITION AND THE SOUTH 40 OF LOTS NUMBERED 1 AND 2 IN BLOCK 1 OF THE VOLUNTEER ADDITION OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA TO THE ADJOINING OWNER PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS' RETAINING A 10 FOOT EASEMENT FOR ROADWAY AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION VI CALENDAR OF OTHER MEETINGS AND EVENTS

Sept. 8	Archives	Noon	Archives Center
Sept. 10	Fair Board	5:30 PM	Business Development Center
Sept. 10	Fire Advisory Council	5PM	1 st Floor Conference Room
Sept. 10	Law Enforcement Commission	4PM	Chief Executive's Conference Room
Sept. 10	Library	5PM	Library Building
Sept. 15	Airport Authority	Noon	Bert Mooney Airport
Sept. 16	Housing Authority	5:30 PM	Silver Bow Homes Housing
Sept. 16	Parks & Recreation	4:15 PM	Civic Center Conference Room
Sept. 16	Technical Review Committee	1:30PM	Water Co. Building
Sept. 17	Community Enrichment	10:00 AM	Health Department
Sept. 17	Parking Commission	3:30 PM	Chief Executive's Conference Room
Sept. 18	Zoning Board of Adjustment	5:30 PM	Council Chambers

ADJOURN

COMMITTEE OF THE WHOLE MEETING REPORT

AUGUST 27, 2008

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ms. Shaw and Gentlemen:

We, your Committee of the Whole Committee, respectfully recommend as follows:

SECTION I PUBLIC HEARING

FOR THE PURPOSE OF SOLICITING COMMENTS ON PETITION NO. 08-9 FILED BY 4 S LLC TO CLOSE AND VACATE A PORTION OF THE ALLEY WITHIN BLOCK 1 OF THE TRASK ADDITION. **(Petition No. 08-9 being held in Public Works Committee) Proof of publication was noted and placed on file.**

Steve Hess, Assistant Planning Director, gave the staff presentation. He commented that they have received no negative comments on the proposals.

Acting Chairman, Lee opened the public hearing and called for any proponents. Dan Steele, part owner of the property came to the microphone and said their future plans were to add on to the building. There being no other proponents he called for opponents. On the third and final call there being none, he closed the public hearing at 7:35PM.

SECTION II COMMUNICATION NO. 08-274

Jon Sesso, Planning Director, requesting time on 4/16/08 for a staff presentation on draft plan for long-term future of the Natural Resource Damage Program. ***Committee recommends that Communication No. 08-274 be held in abeyance.***

SECTION III COMMUNICATION NO. 08-498

Charlie O'Leary, Chairman Council of Commissioners, requesting concurrence in referring to Chuck Carrig, Historic Preservation Officer to do an initial review and inventory of premises of the Pump Station at Divide. ***Committee recommends that Communication No. 08-498 be held in abeyance.***

SECTION IV

COMMUNICATION NO. 08-516

Sarah Weber, Lead Employment Specialist, requesting business fee exemption for Workers Now, a non-profit branch of Western Montana Mental Health Center *Committee recommends that Communication No. 08-516 be held in abeyance.*

SECTION V

COMMUNICATION NO. 08-519

Deyda Gonzalez and Mark T. Redwine, requesting help and guidance in forming the Montana Latino/Hispanic Historical Heritage and Cultural Preservation Society. *Committee recommends that Communication No. 08-519 be held in abeyance.*

SECTION VI

COMMUNICATION NO. 08-532

Robert A. Macioroski, Director Land Office, requesting council direct County Attorney to prepare the resolution and deed for transfer of co-owned property to Mark Wyatt. *Committee recommends that Communication No. 08-532 be cross referenced with Council Resolution No. 08-62 and placed on file.*

SECTION VII

COMMUNICATION NO. 08-533

Robert A. Macioroski, Director Land Office, requesting council direct County Attorney to prepare the resolution and deed for transfer of co-owned property to John and Marijo MacDonald. *Committee recommends that Communication No. 08-533 be cross referenced with Council Resolution No. 08-63 and placed on file.*

SECTION VIII

COMMUNICATION NO. 08-534

Karen Byrnes, Director of Community Development, requesting time on 8/20/08 agenda to conduct a bid opening for the SeaCast Facility in the TIFID #2. *Committee recommends that Communication No. 08-534 be placed on file*

SECTION IX

COMMUNICATION NO. 08-538

Robert A. Macioroski, Director, requesting Council direct County Attorney to prepare the resolution and deed for transfer of the co-owned property to Danette Guidoni and Robert Perry. *Committee recommends that Communication No. 08-538 be cross referenced with Council Resolution No. 08-64 and placed on file.*

COMMUNICATION NO. 08-554

Ellen Crain, Archives Director, requesting a bid opening be scheduled for 9/30/08 for the Archives project. *Committee recommends that Communication No. 08-554 request for bid opening be changed to 9/10/08 and hold in abeyance.*

SECTION XI

COMMUNICATION NO. 08-567

Michael A. Monson, Holland and Hart LLP, requesting authorization for Chief Executive to sign landowner's waiver and consent. ***Committee recommends to approve the request in Communication No. 08-567 and place on file.***

SECTION XII

COMMUNICATION NO. 08-571

Lee Phillips, Director Butte-Silver Bow Public Library, requesting authorization for Chief Executive to sign agreement with Johnson Controls for Service for the HVAC System. *Committee recommends to deny request and place on file.*

SECTION XIII

COMMUNICATION NO. 08-574

Debra D. Williams and Bob Lee, Justices of the Peace, regarding part-time clerk position of Justice Court. *Committee recommends approval and places on file.*

SECTION XIV

COMMUNICATION NO. 08-585

Jeff Amerman, Finance and Budget Director, requesting time on 8/20/08 agenda to make a presentation on FY 2008-2009 Preliminary Budget. ***Committee recommends approval of Exhibit “B” amendments to the 2008-2009 Preliminary Budget and hold Communication No. 08-585 in abeyance.***

SECTION XV

COMMUNICATION NO. 08-586

Jeff Amerman, Finance and Budget Director, requesting time on 8/20/08 agenda to make a presentation regarding adjustment of base values in the Ramsay TIFID. ***Committee recommends that Communication NO. 08-586 be held in abeyance.***

SECTION XVI

COMMUNICATION NO. 08-588

Charlie O’Leary, Chairman Council of Commissioners, requesting concurrence in setting 9/24/08 as date for reports from 2007 recipients of Economic Development Mill Levy money and to set 10/15/08 as deadline for submissions for 2008 Mill Levy Money. ***Committee recommends that Communication No. 08-588 be held in abeyance.***

SECTION XVII

COMMUNICATION NO. 05-587

Jeff Amerman, Finance and Budget Director, requesting time on 9/10/08 agenda to conduct a public hearing regarding FY 2008 – 2009 Preliminary Budget. ***Committee recommends that Communication No. 08-587 be held in abeyance for Public Hearing 9/10/05***

SECTION XVIII

COMMUNICATION NO. 08-597

Paul Babb, Chief Executive, requesting a public hearing be scheduled for 9/3/08 to solicit public comment on proposed tax abatement for the Tri-City Development abatement request for remodeling, reconstruction or expansion. ***Committee recommends that Communication No. 08-597 be held in abeyance for public hearing on 9/3/08***

FINANCE & BUDGET COMMITTEE MEETING REPORT

AUGUST 27, 2008

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ms. Shaw and Gentlemen:

We, your Finance and Budget Committee, respectfully recommend as follows:

NOTE: There are no agenda items for this Committee this week.

JUDICIARY COMMITTEE MEETING REPORT

AUGUST 27, 2008

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ms. Shaw and Gentlemen:

We, your Judiciary Committee, respectfully recommend as follows:

SECTION I COMMUNICATION NO. 08-421

Micheline Boysza, Vice President Highland View Gold Club, requesting council consider an application for a golf course beer and wine license. *Committee recommends that the County Attorney be requested to draft a lease to all council members prior to next council meeting and continue to hold in abeyance.*

SECTION II COMMUNICATION NO. 05-502

Jim Smitham, Executive Director Butte Local Development Corporation, requesting Judiciary Committee to negotiate contract with Butte Local Development Corporation for fiscal year 2008-2009. *Committee recommends approval of Communication No. 05-502 and place on file.*

SECTION III COUNCIL RESOLUTION NO. 08-62

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A PARCEL OF REAL PROPERTY DESCRIBED AS TRACT G OF THE SALLE MINOR SUBDIVISION, PLAT NO. 252-A, ALSO KNOWN AS A PORTION OF THE BUFFALO LODGE (AN UNFILED PLAT), MINERAL SURVEY NO. 579 LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 12, TOWNSHIP 3 NORTH, RANGE 8 WEST, P.M.M. *Committee recommends that Council Resolution No. 08-62 be placed on final reading and passed.*

SECTION IV COUNCIL RESOLUTION NO. 08-63

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A PARCEL OF REAL PROPERTY DESCRIBED AS ALL OF BUTTE-SILVER BOW'S INTEREST IN TRACT 2, CERTIFICATE OF SURVEY NO. 869-B, ALSO KNOWN AS A PORTION OF CASH ENTRY 1098, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 3 NORTH, RANGE 7 WEST, P.M.M, OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA TO THE ADJOINING OWNER PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF

COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Resolution No. 08-63 be placed on final reading and passed.*

SECTION V

COUNCIL RESOLUTION NO. 08-64

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A PARCEL OF REAL PROPERTY DESCRIBED AS THE SOUTH PORTION OF LOTS 5 AND 6 IN BLOCK 11 OF THE HOPE ADDITION AND THE SOUTH 40 OF LOTS NUMBERED 1 AND 2 IN BLOCK 1 OF THE VOLUNTEER ADDITION OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA TO THE ADJOINING OWNER PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS' RETAINING A 10 FOOT EASEMENT FOR ROADWAY AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Resolution No. 08-64 be placed on final reading and passed*

SECTION VI

CLAIM APPROVAL

304	REO Building Systems	\$915.00	Refund Landscaping
305	Silver Bow Properties	200.00	Refund Demo Bond
306	Woodards, Janis	\$4,576.00	Refund Road Bond
608	Sure Way Systems, Inc.	880.00	Refund Land/Pave Bond
894	John Hardesty	400.00	Refund Demo Bond
895	Randy Farris	1,000.00	Refund of St. Open Bond

Committee recommends approval of above claims

PUBLIC WORKS COMMITTEE MEETING REPORT

AUGUST 27, 2008

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ms. Shaw and Gentlemen:

We, your Judiciary Committee, respectfully recommend as follows:

SECTION I **PETITION NO. 08-4**

John Harrington, Building Official, requesting on behalf of Charles and Roxanna Bulen, Sportsman Motel and RV to close and vacate a portion of 5th Street in Melrose. ***Committee recommends that Petition No. 08-4 be cross referenced with Council Resolution No. 08-53 and placed on file***

SECTION II **PETITION NO. 08-6**

John Harrington, Building Official, requesting on behalf of Triple “S” Building Center, Inc. to close and vacate a portion of Iowa Avenue Between Blocks 32 and 34 of the Clarks Addition. ***Committee recommends that Petition No. 08-6 be cross referenced with Council Resolution No. 08-52 and placed on file.***

SECTION III PETITION NO. 08-7

John Harrington, Building Official, requesting on behalf of Galena Street LLC to close and vacate a portion of undeveloped E. Galena Street and Alley within lots on Yellow Jack Lode Block 3 and portion of Ohio Avenue in Kings Addition #2, Block 7. *Committee made a friendly amendment to re-introduce Petition No. 07 that was placed on file 7/30/08 in error and forward to County Attorney to prepare a resolution and continue to hold.*

SECTION IV PETITION NO. 08-9

John Harrington, Building Official, requesting on behalf of 4 S LLC to close and vacate a portion of the alley within Block 1 of the Trask Addition. ***Committee recommends that Petition No. 08-9 be held in abeyance. Public hearing is schedule for 8/27/08***

SECTION V COMMUNICATION NO. 08-95

Virginia Hanson, Risk Management Coordinator, requesting traffic study be conducted by MDOT on Continental Drive from East Lake to Four Mile Road. ***Committee recommends that Communication No. 08-95 be held in abeyance.***

SECTION VI

COMMUNICATION NO. 08-147

Wally Frasz, Commissioner District #6, requesting a traffic study be done where Rowe Road turns into Holmes Avenue and also the intersection of Lexington and Rowe Road. *Committee recommends that Communication No. 08-147 be held in abeyance.*

SECTION VII

COMMUNICATION NO. 08-337

John Harrington, Building Official, requesting to reopen street closure Petition No. 08-3, Jack and Helen McCloskey. *Committee recommends that Communication No. 08-337 be cross referenced with Petition No. 08-3 and Council Resolution No. 08-50 passed on final reading 8/23/08 and place Communication No. 08-337 on file.*

SECTION VIII

COMMUNICATION NO. 08-537

Robert A. Macioroski, Director, regarding request for power line easement from Northwestern Energy. *Committee recommends that Communication No. 08-537 be held in abeyance. Easement has been prepared and forwarded to Chief Executive for his signature. Forward to County Attorney to prepare a resolution*

SECTION IX

COMMUNICATION NO. 08-542

Glen Granger, Commissioner District 1, requesting a letter from Ron Collins requesting the possibility of dedicating Aspen Loop Road to the city. *Committee recommends that Communication No. 08-542 be placed on file. The road does not meet county standards. Public Works Committee denied request for making Aspen Loop Road a city street. Requests Council Secretary to inform Mr. Collins of the committee's decision and place Communication No. 08-542 on file.*

PERSONNEL COMMITTEE MEETING REPORT

AUGUST 27, 2008

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Dear Ms. Shaw and Gentlemen:

We, your Personnel Committee, respectfully recommend as follows:

SECTION I **COMMUNICATION NO. 06-730**

Jeff Amerman, Finance and Budget Director, requesting time on 12/20/06 agenda to make an informational report on payroll issues . ***Committee recommends that Tom Welsch, attorney be requested to attend 9/10/08 meeting to discuss this issue. Will schedule meeting for 5PM on 9/10. Tim Clark will talk to Tom Welsch.***

SECTION II **COMMUNICATION NO. 08-107**

William P. Joyce, Attorney at Law, requesting Council take action to ensure that the benefits of three captains in the Sheriff's Department be maintained by passing a resolution. ***Committee recommends that Communication No. 08-107 be held in abeyance.***

SECTION III **COMMUNICATION NO. 08-573**

John P. Walsh, Sheriff, requesting waiver of sick leave grant requirements for Peggy Leary. *Committee recommends approval of request to use 160 hours addition of sick leave and place on file.*

